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11
12 **IN THE UNITED STATES DISTRICT COURT**
13 **IN AND FOR THE DISTRICT OF ARIZONA**

14 Johnny Wheatcroft and Anya Chapman, as
15 husband and wife, and on behalf of minors J.
16 W. and B. W.,

17 Plaintiffs,

18 v.

19 City of Glendale, a municipal entity; Matt
20 Schneider, in his official and individual
21 capacities; Mark Lindsey, in his official and
22 individual capacities; and Michael Fernandez,
23 in his official and individual capacities;

24 Defendants.

Case No.: 2:18-cv-02347-SMB

25 **AFFIDAVIT OF**
26 **PLAINTIFFS' COUNSEL**

I, the undersigned, do swear and attest to the following:

1. I am counsel for Plaintiffs in the above-captioned matter.
2. I am over 18 years of age and I am authorized to attest to the information contained herein. I know the contents hereof which are true of my own personal knowledge except as to those statements made upon information and belief, and as to those, I believe them to be true.
3. On May 3, 2021, Plaintiffs filed a motion to file non-electronic exhibits as to Defendant Schneider's Body Worn Camera Video, Defendant Lindsey's Body Worn Camera

1 Video, and the Motel 6 Surveillance Video (collectively referred to herein as the "Videos"), and
2 these Videos are listed by Plaintiffs as Exhibits 1, 2, and 3, in Plaintiffs' Controverting and
3 Separate Statement of Facts. *See* Docs. 261 and 262.

4 4. The Videos have not been identified as confidential in this lawsuit, and they are not
5 subject to the protective orders in this matter, which consist of Docs. 44, 114, and 216.

6 5. Plaintiffs have not published the Videos outside this litigation. However, media
7 newsclips containing the Videos were posted on the Attorneys' for Freedom Law Firm Facebook
8 page. The Videos in the newsclips were redacted to obscure the faces of the minor Plaintiffs.

9 6. Plaintiffs do not consider the Videos to be secret or confidential. However, the
10 identity of minor Plaintiffs J.W. and B.W. have been protected in this lawsuit, and the Videos
11 contain images of these minors.

12 7. Plaintiffs believe Anya Chapman, who is the mother of the minor Plaintiffs,
13 received a copy of the Videos during her criminal proceedings.

14 8. Unredacted versions of the Body Worn Videos were made available to undersigned
15 counsel through a firm in Chicago, Illinois prior the filing of this lawsuit, but counsel does not
16 know the extent the Videos were made available to others.

17 9. Plaintiffs do not believe the Videos were maintained as secret or confidential.
18 Further, Plaintiffs do not know to what extent the media has received any of the unredacted Videos
19 disclosed in this lawsuit.

20 10. Upon information and belief, various news and media sources obtained the videos
21 from Defendant Glendale through public records requests.

22 11. I declare under penalty of perjury that the foregoing is true and correct.

23 DATED this 12th day of May, 2021.

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25
26

Jody L. Broadbush

1 SUBSCRIBED AND SWORN to before me this 12 day of May, 2021.
2

3 Monica Tucker
4 Notary Public

5 My Commission Expires: 5-15-23
6

